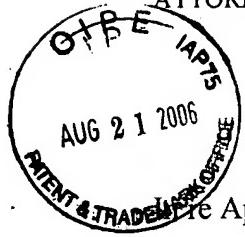


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of:
PHILIP M. STARR ET AL.

Serial No.: **10/776,820**

Filed: **02/11/2004**

Title: **"DISPOSABLE DOWNHOLE
TOOL WITH SEGMENTED
COMPRESSION ELEMENT
AND METHOD"**

§ Group Art Unit: **3672**

§

§

§ Examiner: **BOMAR, THOMAS S.**

§

§ Atty. Docket No.: **HES 2003-IP-010244U1
(063718.0158)**

CERTIFICATE OF MAILING VIA EXPRESS MAIL

PURSUANT TO 37 C.F.R. § 1.10, I HEREBY CERTIFY THAT I HAVE INFORMATION AND A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS EXPRESS MAIL POST OFFICE TO ADDRESSEE, ON THE DATE BELOW, AND IS ADDRESSED TO:

MAIL STOP RCE
 HONORABLE COMMISSIONER FOR PATENTS
 P.O. Box 1450
 ALEXANDRIA, VA 22313-1450.

CYNTHIA POSER

DATE OF MAILING: **AUGUST 21, 2006**
 EXPRESS MAIL LABEL: **EV778538278US**

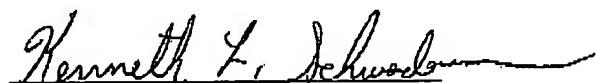
DECLARATION UNDER 37 C.F.R. § 1.132

Dear Honorable Commissioner:

1. My name is Kenneth L. Schwendemann. I am over the age of 21 years, of sound mind, and competent in all respects to make this Declaration. I am an inventor in the above-identified patent application.
2. I am a joint inventor in the above-identified patent application, and a joint inventor in U.S. Patent Application No. 10/151,276 (Publication No. 2003/0213601 A1) (hereafter, "the '276 Application"), which the Examiner identified in his office action dated May 22, 2006.

3. I am the inventor of the subject matter disclosed in claim 28 of the above-identified patent application and of the subject matter disclosed in the '276 Application (e.g. ¶ [0031]) that was identified and relied on by the Examiner in his 35 U.S.C. § 102(e) rejection in the May 22, 2006, office action.

4. I hereby declare that all statements made herein and of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Kenneth L. Schwendemann

Date: Aug 17 2006